J. Gary Shaw
005 N. Main St.,
Cleburne, TX 76033-0722

5/23/94

Dear Gary,

The amended complaint and the depositions came today. I started to read the amended complaint and having tired, I've laid it aside. I'll resume it and the transcripts when I can, probably about the time you retire, which as you may recall, is when I'm wide awake. I'm a bit more tired than my years and usual health problems account for. Some is from a chest infection being treated and some is from the fact that surprising as it may seem, that box was a bit much for me! But I have a slightly better notion of the suit and the issues little as I've read so far.

I am surprised that you did not joim AHA in it. I suppsoe there is a reason.

It occurs to me that there can be some unusual possibilities when this case goes to trial, if the lawyers can by then be familiar enough with the evidence, by which I mean the official evidence. Depending on what is ruled to be material and not material I believe an additional charge can face at least Hunes, of perjury. In a different environment he has sworn in contradiction to himself.

It would take much preparation for the lawyers but I can see this trial being used to make it a matter of court fact that JFK was killed as the end product of a conspiracy.

If you question that natural-born fillibuster Belin at the trial I'll have to dig out for your lawyers the text of a speech I'd planned to cut when Belin and I debated at Vanderbilt in about November 1975. I made Belin face Belin and the day he was home he come out for a new investigation! I think it can be argued that if Belin considered himself innocent in what he'd said until then, not after that. It turns out that the doctors had let me travel too soon after hospitalization for my first venous thrombosis and I was too tired to try to both cut that speech and deliver it. The next day, in fact, when they saw me at the airport I was single-loaded and they moved a nurse back to sit with me. Even emptied the seats in front of me so I could keep my legs elevated on their backs. Vanderbilt was supposed to have taped it but I never got a dub of any tape. I do think that with Belin's actual record a case of malice can be made against him.

If I did not send you a copy of the letter I wrote the publisher saying that you would like access to <u>LIVE AGAIN!</u> I did that immeditately. Something happened with him that he has not explained and I cannot. We were godd, close friends for years. He is a publishing lawyer. He copublishes with Carroll & Graf and he is their counsel and that of their distributor, whether or not for other publishers using that distributor. Whether or not there is a connection, he fell almost entirely silent once Livingstone turned his Killing the Truth in .

Had it been physically possible I could have had NEVER AGAIN! published by July of last year. I've had no explanation for the long delays and it is a powerful book. Dave Wrone retyped it on his computer and he can give you or your lawyers his opinion of it.

Case Open was suddenly rushed. I suppose but do not know that accounts for its lack of even a table of contents and an index and its appearance with uncorrected typos that I had caught and sent them. And without the pictures I'd planned to use. Powerful an indictment as what remains is, the full manuscript is ever so much more so and it is a different book as I wrote it. They did no editing. Just eliminated most of it. But in this they changed its character. I've gotten no explanation. And I'm not in a position to do anything.

So, from the little I've read of your complaint I do believe that one of your lawyers should be familiar with NEVER AGAIN! Here's a further explanation of that book.

As you may remember, when you were her with Joe I had difficulty using the cellar stairs, a difficulty since increased enormously. So I was as a matter of reality without any real access to all those records I got under FOIA and much of my own work. But when the first JAMA article appeared I saw immediately that I could use it as a skeleton to flesh out without much access to those basement records and in that to tell a comptehensible account to those who know nothing about the fact of the crime and its investigations. In so doing this I proved there was an official conspiracy not to investigate the crime itself and in asking the question, was there a military conspiracy, make a prima facie case that there was. In doing all of this I went over those JAMA articles exhaustively and in great detail.

By the way, if you show this to Kinzia or give him a copy please explain to him that not only can my typing be no better but what I cannot get corrected on this machine is the missing of first letters after a space. I have to keep my legs elevated. This put the typewriter to my side. With my eyes a problem, this can't be any better. With my writing, it is poor because I have to hold what I read and correct on a clipboard while I write on it in the air.

I think it will help the sale of the book for it to be used at a trial, so if you have not asked Gallen and want to use it, ask him. I'm willing to help in any way I can.

There is something that may or may not be in your complaint that I mention, forgeting as easily as I now do, and right now it has special topicality: those rascals blamed Jackie for the incompleteness of their autopsy. In the book and in an Afterword in which I use new records, I prove that was impossible and that the decision was the Navy's. Besides which Bobby had waived all rights to withhold anything at all on her behalf. I published that in Post Mortem, in facsimile. My recollection is that JAMA blamed her and the family, too. Excuse the rush. I have the rest of today's mail to answer now. Thanks and best,

Harold